PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JUNE 13, , 1995

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING June 13, 1995, IN Regular SESSION. PRESIDENT Donald J. Schmidt IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY A, EDMONDS P, GiaQUINTA A,
HENRY P, LONG P, LUNSEY P,
RAVINE P, SCHMIDT P, TALARICO P,

ABSENT:

COUNCILMEMBER: , ,
, ,

THE MINUTES OF THE LAST REGULAR May 23, 19 95
, 19 ,
SPECIAL , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

ROLL CALL

COMMITTEE SESSION

JUNE 6, 1995

CITY OF FORT WAYNE, INDIANA

The Common Council of the City of Fort Wayne met in the Common Council Conference Room 128 _____ evening _____, 199 , in Committee Session. President _____, in the chair, Council Attorney _____, and Sandra E. Kennedy City Clerk, at the desk, present the following members _____ viz:

****

BRADBURY Absent, EDMONDS Absent, GiaQUINTA Present

HENRY Absent, LONG Absent, LUNSEY Present

RAVINE Present, SCHMIDT Present, TALARICO Present

****

ABSENT: _____

COUNCIL MEMBER _____, _____,

_____, _____,

_____, _____,

****

The City of Fort Wayne

Paul Helmke, Mayor

5 June 1995

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-04-93, amending Chapter 157 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-95-05-04

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of June 1995.

Council action on this recommendation must take place prior to:
August 20, 1995.

Carol Kettler Sharp

Carol Kettler Sharp
Secretary

/pb

XC: File

4

FACT SHEET

Z-95-05-04
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Zoning Map Amendment From B-1-B to B-3-B

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address

1919 Tillman Road

Reason for Project

Construction of a commercial building for auto repair.

Discussion (Including relationship to other Council actions)

15 May 1995 - Public Hearing

(See Attached Minutes of Meeting)

22 May 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, Chair did not vote. Motion Carried.

Members Present: Linda Buskirk, James Hoch, Thomas Quirk, Dave Ross, Carol Kettler Sharp, Mel Smith, Vicky VerPlanck

Members Absent: Ernest Evans, Donald Schmidt

NOTE: Linda Buskirk arrived late to the meeting, after the vote on this ordinance.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) J Maxine Melching & Fredrick W Johnston City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	☐ For ☒ Against Reason Against -more intense commercial use of this property would discourage further investment by current homeowners.
Board or Commission Recommendation	By ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date 13 April 1995

Projected Completion or Occupancy — Date 5 June 1995

Fact Sheet Prepared by — Date 5 June 1995

Patricia Biancaniello

Reviewed by — Date 6 June 1995

Reference or Case Number

a. Bill No. Z-95-05-04 - Change of Zone #582
From B1B to B3B
1919 Tillman Road

John Otto, Jr., real estate broker, agent for the petitioners, appeared before the Commission. Mr. Otto stated that the petitioners wish to use the property to construct a new $200,000 facility for use as an auto repair shop. He stated that the intended purchasers of the property have had small auto repair business currently on Dalman Street for the last 8 years. He stated that the property is currently vacant and has been on the market for the last 3 years and they have finally procured a prospective buyer. He submitted an artist's rendition of the proposed facility to the Commission. He stated it would be approximately 3,000 to 5,000 sf in size. He stated that the proposed purchasers have the financing in hand, with a local bank, toward the construction of a new facility. He stated that he received the staff analysis with a do not pass recommendation and after discussion with the proposed buyers and sellers of the property he stated he concluded that the other side of the story needed to be told. He stated that there were a few points in the recommendations that bare comment. He stated that in item number one, where the Comprehensive Plan is mentioned, "it (the Comp Plan) seeks to maintain investments and prevent deterioration". He stated that he felt that they would be maintaining the investment by investing in a $200,000 facility. He felt that he could not see where approval would result in a negative impact. He stated that this investment would be a positive impact. He stated that to the south of this property is Quality Glass and this parcel is adjacent to the Aldi's Supermarket that is zoned B-3-B, along with an Instant Auto Financing and Instant Credit, formerly the Koehlinger Building. He stated that he felt they would be putting vital retail into that area. He stated that the building would be built to meet all state and local codes, including but not limited to landscaping, fence enclosure for security, it will also be will lit and there would be a security system in the building. He stated that item number 2 of the analysis stated that "while we encourage new development in this quadrant, current conditions and uses in the area indicate that an appropriate blending of classifications, exists". He stated that he felt that this was within the guidelines of new development for this area. He stated that to his knowledge there has been no opposition from the area to the requested rezoning. He stated, however, that they are perfectly willing to comply with all neighborhood requirements, so as not to be detrimental to any residential in the area. He stated that Item number three states "more intense commercial use of this site, including a number of the uses permitted in B3B district, could discourage further investment". He stated that in his opinion not encouraging investment would be an example of depriving his buyers of not being able to start and run a family owned small business.

Jim Tolbert, 1130 Northlawn Avenue, the owner of Winco Printing,

and President of the Southside Business Group, appeared before the Commission in favor of the rezoning. Mr. Tolbert stated that on behalf of the Southside Business Group he would like to point out that their mission is to stimulate economic development on the southside. He stated that while they have no technical staff that it would be of concern to them if a small business decided to relocate outside of the southside, since they have outgrown their current location and they have found a piece of property that they feel suitable for the business. He stated that if they moved to a northside location they would be somewhat disappointed. He stated that the northside business development seems to have plenty of stimulation, not only from the private sector, but from the public sector as well. He stated that a few examples would be the War Memorial Coliseum, the Baseball Stadium, Fairgrounds and Science Central. He stated considering that the southside does not have the advantage of those public funded investments, they would hope they would consider this $200,000 investment in the southside as something they need and would support. He stated that if they feel that a B3B zoning would be inappropriate they would ask that the Commission seek out a compromise for the parties, so that they could maintain the B1B possibly with a variance. He stated that their group numbers about 240 people and have been working on working about 2½ years to stimulate economic development on the southside.

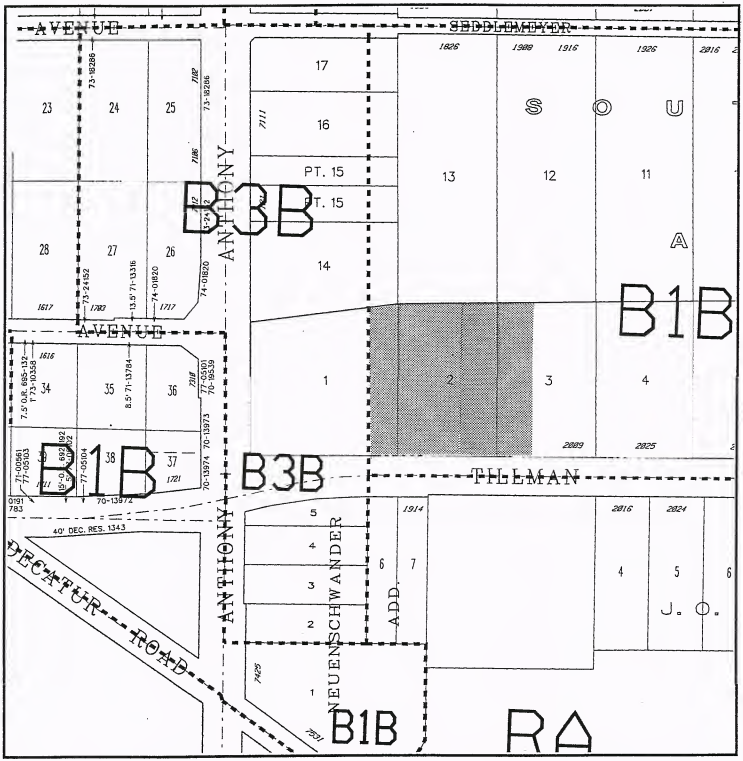
Mel Smith questioned if they were planning on their access from this site being on Tillman Road.

Mr. Otto stated that was correct. He stated that there currently is one on the property off of Tillman.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

REZONING PETITTION

AREA MAP **CASE NO. #582**



COUNCILMANIC DISTRICT NO. **6**

Map No. P - 27
LW 4-22-95

R1	One-Family	**B1**	Limited Business	**M1**	Light Industrial
R2	Two-Family	**B2**	Planned Shopping Center	**M2**	General Industrial
R3	Multi-Family	**B3**	General Business	**M3**	Heavy Industrial
RA/RB	Residential	**B4**	Roadside Business	**MHP**	Mobile Home Park
PUD	Planned Unit Dev.	**POD**	Professional Office District		

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 9, 1995 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-95-05-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1995.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1995.

Certified and signed this
5th day of June 1995.

Carol Kettler Sharp

Carol Kettler Sharp
Secretary

John Otto Jr., agent for J. Maxine Melching and Fredrick W. Johnston, requests a change of zone from B-1-B to B-3-B.

Location:	North side of Tillman east of Anthony Blvd.		
Legal:	See file		
Land Area:	Approximately 2.2 acres		
Zoning:	B-1-B		
Surroundings:	North	B-1-B	Single Family Residential
	South	RA	SFR and Church
	East	B-1-B	Commercial & Residential
	West	B-3-B	Commercial
Reason for Request:	To construct a commercial building for auto repair.		
Neighborhood Assoc.:	None		
Neighborhood Plan:	No comment.		
Comprehensive Plan:	The general land use policies of the Comprehensive Plan states that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. This property is located within the Middle Ring. The goal of the Middle Ring is to maintain investments and prevent deterioration in existing neighborhoods.		

Planning Staff Discussion:

The petitioners state that they are filing this petition in order to construct a commercial building to permit the repair of automobiles. The property is currently zoned as a B-1-B or "limited business" classification. The B-1-B designation permits approximately ninety (90) uses primarily designed for office and retail, and does not include automobile repair.

The lots along Tillman Road east of Anthony Boulevard are deep lots. The deeper lots allow placement of residential structures away from the high volume traffic corridor. Both Anthony Boulevard and Tillman Road are classified as arterial streets.

The Anthony Boulevard frontage is currently zoned B-3-B between Tillman Road and Seddlemeyer Road. Existing uses include Aldi's, a Hires Auto store and an auto loan operation. Quality Glass is located on the southeast corner of the intersection, and was successfully rezoned in 1984 for their use.

The zoning pattern in this area has been rather stable for some time. This area was rezoned from RA to B-1-B in 1975-6. At that time the petitioners requested the rezoning to market their properties for commercial development. Staff raised the question if it was appropriate to "zone the area commercial in hopes of development in the future or deny the request and attempt to encourage residential reuse of the property." Previous commercial zonings in the area had not resulted in development.

Staff is concerned with both the impacts of approval on the adjoining properties, and the need to stimulate investment in the southern quadrant of the city. Currently, the area surrounding this site is lightly developed as residential to the north, very limited light commercial immediately east followed by residential, and residential uses on the south including a church. The westerly parcels carry a B-3-B designation, but have primarily been developed with B-1-B uses. There appears to be mixed signs of investment in the area homes, with the Tillman Road properties showing better care and maintenance. Light business uses on the subject parcels may not tip the balance against adjacent residential uses, but heavier business uses could discourage further investment by homeowners, or light business users, in their properties.

The Comprehensive Plan cites compatibility, maintaining investments and preventing deterioration as goals for this area. Although a new building represents investment, rezoning to a more intense classification is generally viewed as suggesting a changing condition, and not a stabilization factor. Current conditions and characters of structures and uses in the area lean toward lower intensity uses, including light commercial and residential. Although the applicant should be able to submit some evidence to support a possible zoning change, staff believes that the best developmental use of this area lies in blending residential with light commercial uses, such as would be permitted under the current B-1-B classification.

Recommendation: Do Not Pass for the following reasons:

1) The Comprehensive Plan seeks to maintain investments and prevent deterioration. Approval could result in a negative impact on the existing development.

2) While we encourage new development in this quadrant, current conditions and uses in the area indicate that an appropriate blending of classifications exists, allowing more intense uses at the intersection, transitioning to residential as traveling east.

3) More intense commercial use of the site, including a number of uses permitted in the B-3-B district, could discourage further investment by current homeowners, or light business users, in their properties.

The City of Fort Wayne

Paul Helmke, Mayor

May 16, 1995

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-04-93, amending Chapter 157 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-95-04-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
16th day of May 1995.

Council action on this recommendation must take place prior to:
August 13, 1995.

Carol Kettler Sharp

Carol Kettler Sharp
Secretary

/pb

xc: File

FACT SHEET

Z-95-04-15
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Map Amendment
From POD to R-1

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
1025 Vance Avenue

Reason for Project
As recommended by staff, this rezoning would provide for a more consistent zoning pattern in the area and still allow for the church and its ancillary uses.

Discussion (Including relationship to other Council actions)

17 April 1995 - Public Hearing

Warren Walters, parishioner of the Vineyard Christian Fellowship Church, appeared before the Commission. Mr. Walters stated that they are requesting the rezoning primarily to align the definition for the tract with the current use. He stated that they have no intention of now or in the future of utilizing the current zoning of POD.

Ross Eagle a resident of the area and a member of the Northside Neighborhood Association appeared before the Commission. Mr. Eagle stated that the association is in favor of the rezoning and that they consider the church a good neighbor.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Vineyard Christian Fellowship, Inc. City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

22 May 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a Do Pass recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, the Chair did not vote.

Motion carried.

Members Present: Linda Buskirk, Ernest Evans, Thomas Quirk, Dave Ross, Carol Kettler Sharp, Mel Smith, Vicky VerPlanck

Members Absent: James Hoch, Donald Schmidt

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date 15 March 1995

Projected Completion or Occupancy — Date 16 May 1995

Fact Sheet Prepared by — Date 16 May 1995

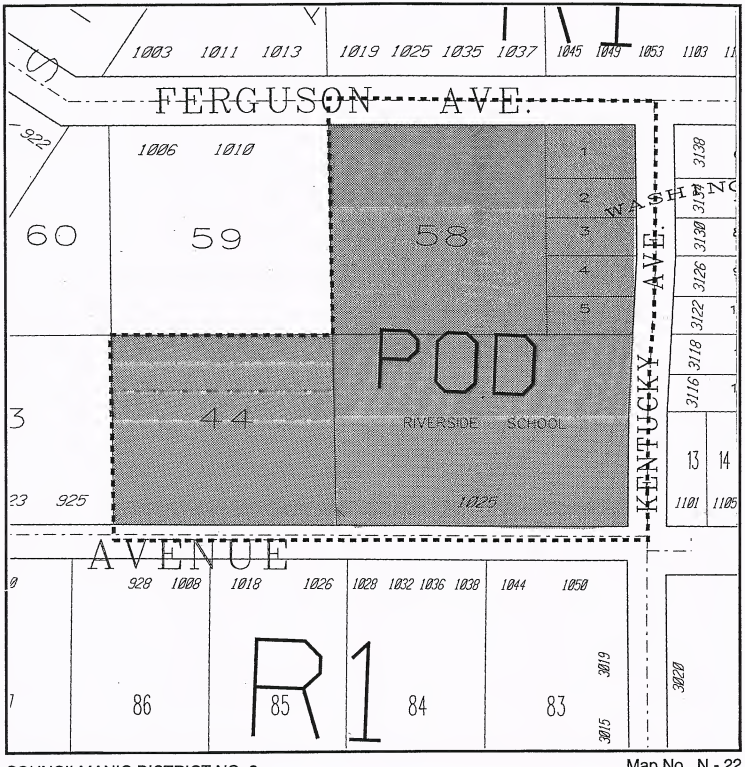
Patricia Biancaniello

Reviewed by — Date 18 May 1995

Reference or Case Number

REZONING PETITTION

AREA MAP **CASE NO. #580**



COUNCILMANIC DISTRICT NO. **3**

Map No. N - 22
LW 3-22-95

R1	One-Family	**B1**	Limited Business	**M1**	Light Industrial
R2	Two-Family	**B2**	Planned Shopping Center	**M2**	General Industrial
R3	Multi-Family	**B3**	General Business	**M3**	Heavy Industrial
RA/RB	Residential	**B4**	Roadside Business	**MHP**	Mobile Home Park
PUD	Planned Unit Dev.	**POD**	Professional Office District		

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 25, 1995 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-95-04-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1995.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 15, 1995.

Certified and signed this
16th day of May 1995.

Carol Kettler Sharp

Carol Kettler Sharp
Secretary

Vineyard Christian Fellowship, Inc. requests a change of zone from POD to R-1.

Location:	Vance Avenue at Kentucky Avenue (1025 Vance Ave.)		
Legal:	See File		
Land Area:	Approximately 4.05 acres		
Zoning:	P. O. D.		
Surroundings:	North	R-1	Single Family Residential
	South	R-1	Single Family Residential
	East	R-1	Single Family Residential
	West	R-1	Single Family Residential
Reason for Request:	The petitioners state that their intended use is "a church or any other permitted use allowable under the requested zoning classification." It should be noted that the petition was filed after discussion with the staff, who felt that a downzoning would provide a more consistent zoning pattern in the area.		
Neighborhood Assoc.:	Northside Neighborhood Association		
Comprehensive Plan:	The general land use policies of the Comprehensive Plan state that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. This property is located within the Middle Ring. The goal of the Middle Ring is to maintain investments and to prevent deterioration in existing neighborhoods.		
Neighborhood Plan:	No comment.		

Planning Staff Discussion:

This property housed the Riverside Elementary School until June of 1981. When in operation, it had a capacity of 273 students and 15 teachers. The previous owners apparently purchased the property in 1984, and intended to use the facility for professional offices. After a few false starts, the owner leased the property to the Vineyard Christian Fellowship. This lease eventually led to a long-term lease/purchase agreement with the Vineyard Christian Fellowship.

In reviewing the case history of this site, we found that the original intent was to rezone the property from R-1 to R-3, allowing for a variance for office uses. There were apparently some objections from residents in the surrounding neighborhood, who were concerned with

possible traffic increases and the potential for either a day care center or medical clinic. An apparent compromise was made by filing the petition to rezone the site to a Professional Office District in 1984. The POD designation limits the use of the site to professional types of uses found in that section of the Zoning Ordinance. (Contrary to current policy, this rezoning was processed without a formal development plan submittal and review.)

In 1985, the Board of Zoning Appeals granted a "Contingent Use" for an educational institution on the site. In 1988, the Board granted a "Use Variance" to allow the use of the site for a church and school. (BZA 1541985-Z and BZA 12-1988-Z)

The 1988 approval required the parking lot to be completed in compliance with the Z-10 ordinance, incorporating landscape and screening materials.

Vineyard Christian Fellowship, is now contemplating an addition to the facility. As currently zoned, the addition would require an amendment to the development plan. This procedure would require engineered site plans, and a somewhat lengthy review process, finalized by Plan Commission approval. This development plan amendment procedure would also apply to any future amendments or additions.

The POD was established to provide specific areas where professional offices, and other compatible uses, could be developed into a center with the assurance that retail and other incompatible commercial uses would not impede or disrupt their use.. Churches and schools are generally not located in a POD.

In discussing the proposal, staff questioned if the petitioners had considered a downzoning to an R-1 classification? The R-1 district would be consistent with the surrounding area, and would still allow the facility to be used as a church, or a public or private primary or secondary school. The permit procedure would be much quicker, and the neighborhood would have the assurance that land uses would be more restrictive than under the POD classification. The present use as a church/school, and the existing zoning in the immediate area seemed to suggest consideration of a downzoning to R-1.

Staff notes that some uses that were viewed as objectionable to the neighborhood at the 1984 public hearing are now permitted by right under the POD classification. Staff also noted that since the structure was originally built as a public school, it would have potential grounds for a use variance, regardless of the actual zoning. Staff believes that the R-1 designation more clearly delineates the range of potential uses that would be compatible with the neighborhood. It is sensible to allow the continued use of this site in a manner that is complimentary to the neighborhood.

Recommendation: Do Pass for the following reasons:

1) The requested zoning is consistent with the surrounding area and will not impact adjacent property values.

2) Approval will satisfy the goals of the Comprehensive Plan in that it will add further stability to the area.

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: City Council Members

FROM: Gary Stair, Director of Planning, Community and Economic Development

DATE: May 16, 1995

SUBJECT: Recommendation from Plan Commission

The attached land use petition has been reviewed by the Fort Wayne Plan Commission and forwarded to you for final action. The Plan Commission's recommendation on this case, made after public hearing and review, has been certified by the Commission's Secretary and is summarized on the attached "Fact Sheet".

Occasionally, there will be a significant delay between the time the petition is filed and when the Plan Commission certifies its recommendation and forwards the case to you. This delay occurs when a petition receives "Conditional Approval" -- approval subject to the petitioner fulfilling certain obligations. In such cases the Plan Commission's staff holds the petition until all conditions have been met by the petitioner. Once all conditions have been satisfied, the case is forwarded to you.

As always, if you have any questions concerning the attached cases, please do not hesitate to call me or Pat Fahey of the Land Use Management staff at 427-1140.

/pb

1. Change of Zone - Bill No. Z-95-04-15

Amendment: From POD to R-1

Location: 1025 Vance Avenue

Applicant: Vineyard Christian Fellowship Inc

Proponents: Warren Walters, parishioner of the Vineyard Christian Fellowship Church

Opponents: None

Summary of Discussion: This rezoning would provide a more consistent zoning pattern in the area and still allow for the church and its ancillary uses.

Staff Recommendation: Do Pass

Plan Commission Recommendation: Do Pass

Recommendation Given: May 15, 1995

Committee Session Date: June 6, 1995

REGULATORY RESOLUTION NO. 27/95/D

(Adopted 06/01/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PREFERENTIAL INTERSECTION (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 5/17/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 06/01/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

PREFERENTIAL INTERSECTION		(DELEGATED)
Werling Dr.	-preferential-	at Hoevelwood Dr.

57465

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/16/95 SHEET 1 OF 1 DATE MAY 11, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: **PREFERENTIAL INTERSECTION**

Please be advised our office has received a request from the F.W.P.D. to review the intersection of Hoevelwood Dr. and Werling Dr. regarding control. A combination of traffic volumes and restricted sight distance satisfies minimum warrants for Yield control.

It is hereby recommended that the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION **(DELEGATED)**

Werling Dr. - preferential - at Hoevelwood Dr.

Respectfully submitted,

Tom Manny

Tom Manny
Traffic Engineer

TM/lc

Dds
6-1-95

REGULATORY RESOLUTION NO. 28/95/E

(Adopted 06/01/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

IMPAIRED MOBILITY (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 5/18/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 06/01/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)		(EMERGENCY)
4812 Lillie St.	-west side-	from 375' north of Pettit Ave. to 20' north thereof

28 2 5

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/17/95 SHEET 1 OF 1 DATE MAY 18, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.

Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended that the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)		(EMERGENCY)
4812 Lillie St.	- west side -	from 375' north of Pettit Ave. to 20' North thereof.

Respectfully submitted,

Tom Manny
Traffic Engineer

TM/lc 6-1-95

REGULATORY RESOLUTION NO. 29/95/E

(Adopted 06/01/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

NO PARKING (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 5/18/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 06/01/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

NO PARKING		(EMERGENCY)
Kentucky Ave.	-west side-	Charlotte Ave. to Dodge Ave.

29 1995

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/18/95 SHEET 1 OF 1 DATE MAY 18, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: **PARKING REGULATION**

Please be advised our office has received a request from the F.W.P.D. to review a parking problem on Kentucky Ave. adjacent to North Side Park. Vehicles parked on the west side are blocking sight at the intersection of Charlotte Ave. And are restricting the safe flow of two-way traffic.

It is hereby recommended that the Board of Public Safety authorize the following:

NO PARKING **(EMERGENCY)**

Kentucky Ave.	- west side -	Charlotte Ave. to Dodge Ave.

Respectfully submitted,

Tom Manny
Traffic Engineer

TM/lc

6-1-95
Dodo

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 13th day of June, 19 95, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of June, 19 95.

Sandra E. Kennedy

City Clerk